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REPORT OF THE INTERGOVERNMENTAL MEETING OF EXPERTS ON THE ESTABLISHMENT OF A MINISTERIAL CONFERENCE ON MARITIME TRANSPORT FOR EASTERN AND SOUTHERN AFRICAN STATES

(Addis Ababa Ethiopia 17-19 September 1987)

A. ATTENDANCE AND ORGANIZATION OF WORK

1. The Intergovernmental Meeting of Experts on the establishment of a Ministerial Conference on Maritime Transport for Eastern and Southern African States was held in Addis Ababa, Ethiopia, from 17 to 19 September 1987.

2. Representatives of the following member States attended the meeting: Burundi, Ethiopia, Malawi, Mozambique, Uganda, the United Republic of Tanzania and Somalia.

3. The meeting was also attended by representatives of the following itnergovernmental Organizations: The Intergovernmental Standing Committee on Shipping (ISCOS), the African Development Bank (ADB) and the Pan African News Agency (PANA).

4. The meeting elected the following officers:

(a) Chairman: Ethiopia

(b) Vice-Chairman Somalia

(c) Rapporteur: Burundi

B. ADOPTION OF THE AGENDA

5. The meeting adopted the following agenda:

1. Opening session

2. Adoption of the agenda

3. Election of officers: Chairman, Vice-Chairman and Rapporteur

4. Presentation and discussion of the substantive document:

(a) Characteristics and causes of poor performance of the maritime transport system in the subregion;

(b) Need for permanent multinational solutions of the maritime transport problems in the subregion;

(c) Proposed alternative forms of institutional mechanisms for co-operation in maritime transport;

(d) Proposed work programme and budget for the Ministerial Conference.

5. Examination of the draft maritime transport charter for Eastern and Southern Africa (including also the Indian Ocean countries)

6. Examination of the draft Convention establishing the Ministerial Conference for Eastern and Southern African States

7. Any other business

8. Consideration and adoption of the report

9. Closure of the meeting

C. ACCOUNT OF PROCEEDINGS

6. In his opening statement the representative of the Executive Secretary of the United Nations Economic Commission for Africa (ECA) welcomed the participants and stressed the importance of maritime transport and the needfor the Eastern and Southern African subregion to promote a global and concerted shipping policy. The aim of the current meeting of Government experts was to propose to the ministers responsible for maritime transport in the subregion a permanent institutional mechanism to co-ordinate the harmonious development of all the various components of maritime transport.

Introduction and discussion of the report on the feasibility study on the Establishment of a Ministerial Conference of Eastern and Southern African States on Maritime Transport: E/ECA/TRANS/50 (Agenda item 4)

7. Before introducing this agenda item the representative of the secretariat informed the meeting that there was an error in the penultimate paragraph of page 3 of the English version: it should read "FOB and CIF respectively" not "CIF and FOB respectively.....".

8. In his introduction of the report he mentioned the main obstacles to the harmonious and effective development of a system of maritime transport in the subregion and the solutions that should be found to overcome such problems. Given the multidimensional aspect of most of the problems identified, a permanent institutional arrangement should be agreed among the States in order to prevent any conflict of interest in the development of the various links of the maritime transport chain.

9. In the ensuing discussions, the meeting came to the following conclusions.

10. The meeting took note of Resolution ECA/UNTACDA/83/37 adopted by the Conference of Ministers of Transport, Communications and Planning held in Cairo in March 1983, which recommended the establishment, according to modalities to be worked out, of a Ministerial Conference for Eastern and Southern African States on Maritime Transport; and then decided that this institution should be established in the subregion. The modalities for this creation should therefore be studied, taking into consideration the maritime institutions already existing in the subregion and necessity to rationalize the establishment of any institution and minimize the expenditures.

11. In connection with the above, the meeting, having considered the proposal of ISCOS to extend its mandate, conclude that though in accordance with the new agreement on ISCOS, participation in the organization is open to all the countries of the subregion, officially, ISCOS is still the Organization comprising four countries only. In this respect it was noted by the meeting that geographical sphere of activities of ISCOS should be extended.

12. It was also noted by the meeting that present objectives of ISCOS are limited to contribution to development of maritime transport in the subregion mainly through advising Governments on the freight-rates, maritime transport costs, quality of maritime services and related matters.

13. In the first paragraph of the section on the need for the judicious implementation of the United Nations Convention on a Code of Conduct for Liner Conferences the word "participation" should repalce "competition on an ethicalbasis"; in the fourth paragraph of the same section it should be noted that the Eastern and Southern African subregion plus the Indian Ocean has 19 countries not 21.

14. In paragraph 7 of section 2 on the main problems observed in port management in the subregion "lack of subregional co-operation" was preferred to "lack of political will".

15. The meeting took note of the information that Somalia had already acceded to the Code of Conduct for Liner Conferences.

16. Although the countrries of the subregion had made progress in improving the performance of their ports, such performance was still well belowinternational standards. Such poor performance was basically due to: (a) inadequate training and lack of incentives for harbour workers' (b) inadequate equipment. ECA was currently carrying out a study aimed at identifying the current levels of productivity and obstacles to productivity at each of the African harbours.

17. ECA should continue to sensitize African agencies so that when defining their programmes they would give greater attention to maritime transport activities; indeed, according to the representative of ADB, sensitization efforts had paid off with respect to the air transport subsector where ADB had provided assistance.

18. Research should continue within the United Nations system in order to define how current practices in the subregion with respect to "incoterms" could be gradually reoriented in order to make them more compatible with the two objectives of effectively controlling maritime freight and decolonizing African external trade particularly that of the subregion.

19. The conclusions of the current meeting would be circulated to the member States of the subregion for their written comments which would make it possible to prepare detailed proposals for the consideration of the appropriate Ministers during the future meetings of the Lusaka and Gisenyi MULPOCs.

20. It was mutually agreed that up-dating and harmonization of maritime legislation should be the area to which the countries of the subregion should give priority.

21. It was also concluded by the meeting that Rwanda and Burundi should be included into the Table II of Annex 5.

Examination of the draft maritime transport charter (agenda Item 5)

22. The Secretariat introduced the agenda item and informed the meeting that the Draft Maritime Transport Charter is intended to be considered as guidelines for future activities of the Ministerial Conference of Eastern and Southern African States on Maritime Transport.

23. A question from the floor was made to merge items 1 and 3 under subtitle A (Organization) in order to reinforce ISCOS in such a manner that the latter could play the role of the Secretariat of the Ministerial Conference on Maritime Transport for the subregion.

24. By a large majority this proposal was not accepted, and it was once again emphasised that ISCOS should extend geographical sphere of its activities, but the terms of reference of this Organization should remain as at present, i.e.co-ordinating actual and future activities of national shippers councils in the subregion. On the other hand, the Secretariat of the Ministerial Conference duties shall be to co-ordinate at the subregional level the harmonious development of various interests involved in a global maritime transport policy: shippers, ports, shipowners, marine insurance, training .... etc.

Examination of the draft convention establishing the Ministerial Conference for Eastern and Southern African States on Maritime Transport (Agenda Item 6)

25. In its introduction of this agenda item the ECA Secretariat indicated that this point deals with the legal framework of governing the Ministerial Conference.

26. It was unanimously agreed that with regard to membership in the proposed Conference every State of the subregion either costal or land-locked, has the equal rights to enjoy full membership in the Organization.

27. It was agreed by the meeting that in respect of the method of calculation of contributions by member States two criteria should be applied: 1) volume of sea-borne trade of every member State. In addition, Coastal States should contribute to the Organization an extra amount over and above that of the land-locked countries since they generate extra revenue from the activities of their ports in serving the land-locked countries.

28. In respect of the proposed draft convention the meeting felt that paragraph 5 article 2 of Chapter 4 should be amended as follows: "Under the terms of the present Convention, any member State whose contributions to theMinisterial Conference are in arrears for two consecutive years, without serious justification (cas de force majeure), shall forfeit its right to vote.

Any other Business (Agenda Item 7)

30. The delegation of Somalia distributed among the participants the document "Proposal for a Protocol covering the maritime relations between The Somalia Democratic Republic and the Republic of Kenya" and expressed hope that the document could serve as a model for similar bilateral agreements between member States of the subregion.

Adoption of the report (Agenda item 8)

31. During its fourth session held on Saturday, September 19, 1987, at 12:00, the meeting adopted its final report as it appears in the present document.

Closure of the meeting (Agenda item 9)

32. In his closing address the representative of the ECA secretariat congratulated the meeting for the good work done and assured participants that the report would be sent to member States for their comments which would be consolidated and annexed to the report to be submitted to the Ministers during the forthcoming Lusaka MULPOC meeting.

33. He then ajourned the first meeting of Experts on the Establishment of a Ministerial Conference of Eastern and Southern African States on Maritime Transport.

Annex

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